



Michigan Department of Environment, Great Lakes & Energy
Materials Management Division

**INSTRUCTIONS FOR COMPLETING
UNIFORM PROGRAM MOTOR CARRIER APPLICATION FOR LIQUID
INDUSTRIAL BY-PRODUCT TRANSPORTATION FORM EQP 5122**

GENERAL APPLICATION INSTRUCTIONS

Please note: All applications must be typed or printed. Handwritten applications will be returned for correction.

All transportation of Liquid Industrial By-Product (LIBP) in the State of Michigan (Michigan), unless exempted under Part 121 of the Natural Resources and Environmental Protection Act (Liquid Industrial By-Product) or Act 138 (Hazardous Materials Transportation), must be one of the following:

NOTE: Transportation of hazardous waste in Michigan requires participation under the Alliance for Uniform HazMat Transportation (Alliance). Failure to maintain a proper Alliance credential invalidates the LIBP credential. If the credential is invalidated, full participation in the registration and permit process of Michigan LIBP Uniform Program is required to transport LIBP in Michigan.

1. Registered and permitted under the Uniform Hazardous Materials Program and registered under the Michigan LIBP Uniform Program.

OR

2. Registered and permitted under the Michigan LIBP Uniform Program.

NOTE: Transportation of only Michigan LIBP requires completion of the Michigan “Motor Carrier Registration and Permit Application for the Uniform Program for Liquid Industrial By-Product Transportation” form EQP 5122 and subsequent registration and permitting under that program.

NOTE: If registered and permitted under the Uniform Hazardous Materials Program or the Michigan Uniform LIBP Program, appropriate apportioned vehicle fees must be paid for LIBP transportation activity in Michigan utilizing the Michigan Department of Environmental Quality (MDEQ), Liquid Industrial By-Product Uniform Program Fee Worksheet, Attachment A (Attachment A) to EQP 5122.

**REVIEW THESE INSTRUCTIONS BEFORE COMPLETING THE APPLICATION. FORM
EQP 5122.**

- A complete and timely application must be submitted at least **90 days** prior to the expiration of the current registration.

NOTE: Failure to submit a complete and timely application may jeopardize the applicant's ability to continue to transport waste after the expiration of the current registration/permit.

To pay online, please use this website:

<https://www.thepayplace.com/mi/deq/liqwaste/billpreview.aspx>

Enter Payment Verification Code: Hauler@138

Please be sure and include a copy of the payment receipt with your application submittal.

Please note that EGLE is converting to an all-electronic document management system. All transportation applications and supporting documentation should be submitted electronically to EGLE-MMD-Act138applications@michigan.gov

- If the applicant's company ownership, applicant's name, principal place of business, or business/emergency telephone number has changed during the time a registration or permit is effective, the applicant shall notify EGLE of the change by:
 - Submitting a new EQP 5150 form for site identification information and
 - Submitting an amended application no later than 30 days after the change. If the changes include a change in ownership of the company, a complete new application, including fees, must be submitted to the cashier's office (see above). A permit or registration cannot be transferred to new ownership. .
 - The EQP 5150 form can be found HERE:
https://www.michigan.gov/documents/deq/deq-whm-hwp-EQP5150_214510_7.pdf
- Questions should be directed to Ms. Sandra Ray.
Email: RayS1@Michigan.gov
Phone: 248-320-1790

- The term “applicant” as used in the application refers to the company or individual seeking a registration or permit.
- The application must be completely filled out. **Do not leave any item blank.** If an item does not apply to the applicant, write **N/A** and, if appropriate, include a brief explanation.
- The application should be **typed or computer generated.** Handwritten or illegible responses will result in your application being returned for correction.
- If the space provided on the form is not sufficient to answer any questions, attach additional sheets (in the same dimensions as the application) to the back of the application.
- Remittance of all registration and/or permit fees is required at the time the application is submitted to Michigan. Michigan will not process the application unless all applicable fees are enclosed.
- All questions and information requested shall be answered completely and truthfully. Fraudulent, deceptive, or misleading answers may result in denial or revocation of permit and potential initiation of enforcement activities. Applications will be returned to applicant if requested information is missing or omitted. The applicant is expected to make reasonable efforts to check his/her company records so that complete and accurate answers are provided. Falsification may subject the applicant to additional penalties as provided for under state law.
- If the applicant encounters difficulty in completing the form or has any questions, please contact Ms. Sandra Ray for assistance. Correcting errors before submitting the form will greatly reduce the possibility of enforcement actions and/or delays due to return of your submittal for amendment.
- After completing all sections, the information must be certified by an authorized representative of the applicant (Part III).

Annual Renewal of Three Year Permit

A permit issued under the Michigan LIBP Uniform Program is valid for three years, if and only if, for the second and third years in which the permit is valid, the carrier registers using Parts I and III of the Michigan LIBP Uniform Program application and submits all required registration fees. The Part II permit review fee is to be paid with the initial application for the three year permit and every three years thereafter.

NOTE: The permit fee cannot be paid over the three year life of the permit.

Part I. Line Specific Instructions for Registration Application. Form EQP 5122

- Item 1: Provide the name of the applicant company.
- Item 2: Provide Employer ID Number (FEIN). If Michigan determines that the applicant has miscalculated its program fees resulting in a refund, the Employer ID Number **is required** in order to issue a refund.
- Item 2a: Provide the Michigan Tax ID number
- Item 3: Provide the mailing address for the applicant.
- Item 3a: Provide the applicant’s email address.

- Item 4: Provide the physical location of the application, if different from the mailing address. If records are kept at a different location from either the physical or mailing address, please include this information as an attachment to the application.
- Item 5: Provide the name of the person within the applicant company who should be contacted concerning any questions or requests for additional information regarding the application.
- Item 5a: Provide the contact's title.
- Item 6: Provide the contact's telephone number.
- Item 6a: Provide the contact's email address.
- Item 6b: Provide the contact's fax number.
- Item 7: Provide the applicant's United States Department Of Transportation (USDOT) Motor Carrier Number as defined in 49 CFR Part 391.21. If an interstate carrier and a number has not been assigned, contact USDOT at 517-377-1866 to obtain a number. Currently, intrastate carriers with no vehicles greater than 10,000 pounds Gross Vehicle Weight (GVW) are not required to obtain a number and should enter "N/A" in the space provided.
- Item 8: Provide the Federal EPA Transporter Identification Number (also known as the Site ID number). For a transporter located in Michigan, this ID number will be issued by Michigan, be 12 digits long and in the format "MI_ 123 456 789". If you do not have a Site ID number, please contact Ms. Sandra Ray for assistance.
- Item 9: Does the transporter who is applying for the liquid industrial by-product credential a transporter of hazardous waste? If no, proceed to Item 9b. If yes, proceed to Item 9a.
- Item 9a: If the transporter also transports hazardous waste, please identify all licenses or permits associated with hazardous waste transporter, including out of state licensing.
- Item 9b: Does the transporter who is applying for the liquid industrial by-product credential also a transporter of hazardous materials? Please check yes or no.
- Item 9c: Does the transporter who is applying for the liquid industrial by-product credential also transport used oil? Please check yes or no.
- Item 10: Provide a 24-hour phone number where the applicant company may be contacted in case of an incident or emergency involving a power unit owned or operated. This number can include voice-mail, an answering machine, or an answering service during non-business hours. This number CANNOT be the number for a commercial emergency response telephone service such as Chemtrec.
- Item 11: Indicate the previous 12 month period for which the information in this application is provided. You may utilize either the calendar year or fiscal year, but please identify the time frame used in this section.

- Item 12a: Provide the average number of power units below 10,000 pounds gross vehicle weight (GVW) and the number of power units at or above 10,000 pounds GVW, owned, leased or operated for the time period indicated in Part 1, Item 11 of this application. For purposes of the Michigan LIBP Uniform Program, the definition of a power unit is the same as “truck” and “truck tractor” as defined in 49 CFR 390.5. The following categories of vehicles may be excluded from the average reported:
 - Vehicles that are used exclusively for the transportation of personnel, as opposed to freight, including fleet maintenance vehicles.
 - Power units that do not operate on public highways.

NOTE: Include entire fleet – not just the power units operating in Michigan or power units that handle waste.

- Item 12b: Provide the percentage of **ALL** transportation activity for the previous year involving LIBP regardless of the state.

NOTE: If the applicant is only transporting LIBP the percentage is 100%.

- Item 12c: Provide the percentage of **ALL** transportation mileage in Michigan including LIBP, hazardous material, commodities, etc. This percentage is determined by dividing the number of miles traveled in this state by the number of miles traveled nationwide, and then multiplying by 100. For interstate carriers, the International Registration Plan (IRP) percentage should be used.

NOTES for 12b. and 12c.: For example, Michigan LIBP intrastate carriers (in Michigan only), only transporting LIBP, should report 100% as their transportation activity for both percentages.

For interstate applicants (transporting in multiple states), reporting less than 100% for either percentage, complete documentation of ALL transportation activity must be supported and submitted with this application. As an alternative, the applicant may assume both percentages are 100% and report as such.

- ***All percentages should be rounded to the next whole percentage (i.e., 13.247% = 14%; 14.785% = 15%). If participating in the International Registration Percentages (IRP), the midpoint of the 10% range may be utilized. For example, if the 10% range used in the IRP is 40%-50%, the midpoint would be 45%.***

Part II. PERMIT APPLICATION

NOTES:

- **Part II of the application should be completed as part of the initial application OR in a permit renewal year (every 3rd year) UNLESS:**
- **If the applicant is applying for or holds a permit with the Alliance, Part II of the LIBP application should not be completed.**

Section A: Corporate Structure

1. (a & b) Mark the type of carriage: (interstate or intrastate, private or for hire) the applicant conducts. If Other (e.g., government agency), please explain.

2. Mark the type of business structure of the applicant. If your type of business is not listed, mark "other" and explain.
3. (a & b) Provide the number of years the applicant has been in business as a LIBP transporter under the current ownership, and provide the number of years the applicant has transported hazardous materials under the current ownership.

Section B: Permits Withdrawn, Denied, Suspended or Revoked

Indicate yes or no. If yes, list and explain any transportation registrations, permits, or licenses held by the applicant in the last three years that have been withdrawn, denied, suspended or revoked. For each event, provide:

- The action taken and documentation of that action
- The reason for that action
- The date of the action
- The jurisdiction or agency taking the action
- The type of permit or registration involved, and
- Any reinstatement of same registration, permit or license.

Provide this information as an Attachment to the application.

Section C: USDOT Safety Rating

1. Provide a copy of the applicant's most recent USDOT Safety Rating

Section D: History of Applicant's Violations Related to the Transportation

1. Indicate yes or no. If yes, list federal, state and local fines the applicant has been assessed or paid for transportation violations in the last three years, including pending violations, except for parking violations.

For each violation, provide the following information:

- The date of the assessment
- Documentation of the assessment
- Amount of assessment
- Issuing agency
- The type of violation.
- The type of Liquid Industrial By-Product, hazardous waste, hazardous material and/or other commodity involved, and
- The final agency assessment

Provide this information as an attachment to the application.

Persons completing the application should check with company officials knowledgeable about such fines and violations to ensure full and acceptable disclosure. Any violations or fines noted may trigger a request for additional information, including but not limited to interviews with the jurisdictions that imposed fines and interviews with appropriate company officials.

2. Indicate yes or no. If applicant has been fine or convicted in the last three years for any transportation activity without a license, permit registration or similar type of credentials, provide the following information for each fine or conviction:

- The date of the fine or conviction
- Documentation of the fine or conviction
- The issuing agency
- The type of violation, and
- The type of Liquid Industrial By-Product, hazardous waste, hazardous material and/or other commodity involved

Provide this information as an attachment to the application.

A yes answer may trigger a request for more detailed information on convictions and penalties. The base state may interview representatives of the jurisdictions that discovered the violations or company officials to gain additional details.

Indicate yes or no. If the applicant's parent company, any subsidiary and/or corporate officer or director of the parent or any subsidiary has been convicted, assessed, paid or otherwise found culpable in legal proceedings related to transportation at the federal, state, tribal or local level in the last three years with penalties, please provide the following information for each legal proceeding:

- Fines, penalties or judgments levied, including documentation of same.
- Date of the action
- Nature of the violation
- Cause or reason for the action, and
- Remedial action taken to mitigate the situation, if any.

Please provide this information as an attachment to the application. Note that additional documentation may be requested of such legal proceedings from the applicant, as appropriate.

Section E: Reportable Transportation Incidents

Answer yes or now as to whether the applicant has been involved in transportation incidents or accidents that resulted in any of the following:

- A person is killed
- A person receives injuries requiring his or her hospitalization;
- Estimated carrier or other property damage exceeds \$1,000;
- An evacuation of the general public occurs;
- One or more transportation arteries or facilities are closed.

If yes, please provide the following information for each incident/accident;

- Documentation of the accident or incident
- The date, location and cause of the accident or incident
- Details of the remediation process and
- The agency that supervised the remediation.

Provide this information as an attachment to the application. Inadequate explanations will trigger a request for additional information about such incidents. Michigan may contact the jurisdiction where the incident(s) occurred for more information. Michigan may ask for a copy of the applicant's emergency response plan and details of the applicant's employee training program.

Section F: Michigan Terminals

List the addresses of all applicable terminals owned and operated by the applicant in Michigan.

For purposes of the Michigan Liquid Industrial By-Product Uniform Program, "terminal" is defined as: a facility owned, leased or operated by the applicant where:

- Applicant's motor vehicles used to transport Liquid Industrial By-Product are loaded, unloaded or dispatched incidental to transportation;
- Applicant's motor vehicles used to transport Liquid Industrial By-Product are cleaned, maintained or inspected;
- Applicant's motor vehicles used to transport Liquid Industrial By-Product are fueled or repowered;
- Applicant stores Liquid Industrial By-Product incidental to transportation; or
- Applicant maintains records related to the transport of Liquid Industrial By-Product including vehicle maintenance files and hours-of-service records.

Sections G, H and I—Certifications

Certifications for Sections G, H, and I should be separately initialed to the left of the certification by the appropriate official of the applicant company. All information in the permit, including the certifications, is subject to verification through a desk or on-site audit. If all information is not found to be true and accurate, this will be grounds for withholding, suspending or revoking the permit.

Section G—Inspections

Periodic inspections are required by USDOT as outlined in 49 CFR 396.17 (adopted in Act 181, PA 1963, as amended). This certification ensures that all vehicles owned and/or operated by the applicant have been inspected in the past year and that documentation of the inspection is on file.

Section H—Financial Responsibility

1. Financial responsibility for transporting Liquid Industrial By-Product in Michigan is required. This certification guarantees that the applicant will maintain the proper insurance liability coverage at all times and has the appropriate MCS-82 or MCS-90 form on file. A motor carrier is to maintain financial responsibility for bodily injury, property damage, or environmental damage to third parties caused by accidental occurrences. The minimum amount is \$750,000 per occurrence or \$300,000 for an applicant with all vehicles under 10,000 pounds gross vehicle weight.
2. The applicant must submit the required form as an attachment to the application.
3. Any changes to the MCS-82 or the MCS-90 must be immediately reported to MDEQ.

Section I: Other Certifications

1. This certification ensures that all applicant drivers maintain a current Commercial Driver's License with all applicable endorsements subject to 49 CFR Part 383.
2. This certification affirms that the applicant is in compliance with the drug and alcohol testing requirements of 49 CFR Part 382 (adopted in Act 181, PA 1963, as amended).
3. This certification affirms that the applicant is in compliance with 49 CFR Part 392 regarding driving motor vehicles (adopted in Act 181, PA 1963, as amended).
4. This certification affirms that the applicant is in compliance with 49 CFR Part 395 regarding hours of service or the Michigan provisions (adopted in Act 181, PA 1963, as amended).

Section J: Attachments

A list of the attachments is to be included. Refer to the section and number for each of the attachments. At a minimum, this would include:

- Attachment A
- Transportation activity documentation relating to Liquid Industrial By-Product if applicant has less than 100% Liquid Industrial By-Product transportation activity in Michigan.
- Part II documentation of compliance activity, if applicable
- MCS-90 or MCS-82.

PART III: GENERAL APPLICATION CERTIFICATIONS

NOTE: REQUIRED OF ALL APPLICANTS

Review the application certification and complete the needed information with an authorized signature.

If you need this information in an alternate format, contact EGLE-Accessibility@Michigan.gov or call 800-662-9278.

EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations. Questions or concerns should be directed to the Nondiscrimination Compliance Coordinator at EGLE-NondiscriminationCC@Michigan.gov or 517-249-0906.

This form and its contents are subject to the Freedom of Information Act and may be released to the public.

